

AN ACT

relating to access to criminal history record information by the Railroad Commission of Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter F, Chapter 411, Government Code, is amended by adding Section 411.1403 to read as follows:

Sec. 411.1403. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: RAILROAD COMMISSION OF TEXAS. (a) The Railroad Commission of Texas is entitled to obtain from the department, the Federal Bureau of Investigation Criminal Justice Information Services Division, or another law enforcement agency criminal history record information maintained by the department, division, or agency that relates to a person who is:

(1) an applicant for employment with, or who is or has been employed by, the commission; or

(2) a consultant, contract employee, independent contractor, intern, or volunteer for the commission or an applicant to serve in one of those positions.

(b) Criminal history record information obtained by the Railroad Commission of Texas under Subsection (a) may be used only to evaluate an applicant for employment with, or a current or former employee of, the commission.

(c) The Railroad Commission of Texas may not release or disclose information obtained under Subsection (a) except on court

1 order or with the consent of the person who is the subject of the
2 criminal history record information.

3 (d) After the expiration of any probationary term of the
4 person's employment or not later than the 180th day after the date
5 of receipt of the information, whichever is later, the Railroad
6 Commission of Texas shall destroy all criminal history record
7 information obtained under Subsection (a).

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 2588 was passed by the House on April 27, 2017, by the following vote: Yeas 142, Nays 2, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2588 was passed by the Senate on May 24, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor